IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13880 of 2004

Between:

Sri S.Krishna Murthy, S/o Late Segu Subbaiah,
R/o D.No.1/432-B, Peta Kurnool, Kurnool District.

..... PETITIONER

AND

1 The Station House Officer, I Town, Kurnool Post & District.
2 The Superintendent of Police, I Town, Kurnool.
3 N.Sannaiah Setty, S/o Late Krishna Murthy,
D.No.18/97, Langar Bhavi Veedhi, Floor Mill, Adoni.
4 Smt M.Shamanthaka Mani, W/o Y.Mallikarjuna,
D.No.1/432-A, Main Bazar, Kurnool.
5 Smt N.Mallamma, W/o Late N.Krishna Murthy,
D.No.18/97, Langar Bhavi Veedhi, Floor Mill, Adoni.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more particularly in the nature of a Writ of Mandamus declaring the action of the respondents 1 and 2 in interfering with the civil disputes as arbitrary, illegal, capricious, high handed, and violative of all cannons of law and justice and consequently direct the respondents not to interfere with the petitioners construction of septic tank and repairing of mud-roof as ordered by the learned Principal Junior Civil Judge in RCC No.7 of 2000.

Counsel for the Petitioner: MR.T.S.ANAND

Counsel for the Respondents: GP FOR HOME

The Court made the following :

ORDER:

This writ petition is filed seeking a declaration that the alleged action of the respondents 1 and 2 in interfering with the civil disputes of the petitioner as arbitrary and illegal.

In response to the notice issued, a counter-affidavit has been filed by the Sub-Inspector of Police, I Town Police Station, Kurnool on behalf of the respondents denying the allegations made by the petitioner and stating that the police neither called the petitioner to the police station at any point of time nor threatened him in the matter of construction in the disputed premises. It is further stated that the dispute is only between the landlord and the tenant and the interference of the police does not arise, and that the allegation that the respondents are interfering with the said civil disputes is incorrect.

Accordingly, recording the statement of the respondents in the counter-affidavit, the writ petition is disposed of. No costs.

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27.10.2004

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To

1 The Station House Officer, I Town, Kurnool Post & District.
2 The Superintendent of Police, I Town, Kurnool.
3 2 CCs to the G.P for Home, High Court Buildings, Hyderabad(O.U.T).

4 2 CD copies.